



# UNITED STATES PATENT AND TRADEMARK OFFICE

W

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/837,489	04/19/2001	Jerome Brouet	Q63725	9912

7590 03/10/2005

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC  
2100 Pennsylvania Avenue, N.W.  
Washington, DC 20037-3213

EXAMINER
----------

PEZZLO, JOHN

ART UNIT	PAPER NUMBER
----------	--------------

2662

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/837,489

Applicant(s)

BROUET ET AL.

Examiner

John Pezzlo

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>19 April 2001</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

I. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Ganz et al. (US 6,049,549 hereinafter Ganz).

1. Regarding claim 1 – Ganz discloses that the mobile terminal transmitting to said master station a silence indication (NTS packet) upon reception of a transmit authorization at said slave station during an inactivity period, refer to Figure 4 and column 7 lines 20 to 43.

Ganz discloses increasing said maximum time interval between two transmit authorizations for said slave station upon reception of said silence indication of said master station, refer to column 3 lines 19 to 42.

2. Regarding claim 2 – Ganz discloses restoring at said master station said activity time interval between two transmit authorizations for said slave station upon reception of a traffic

Art Unit: 2662

packet from said slave station after an inactivity period, refer to Figures 3 and 4 and column 7 to 20 and column 9 lines 28 to 65.

3. Regarding claim 3 – Ganz discloses said silence indication is a predefined silence packet (NTS packet) transmitted by said slave station on said shared channel to said master station, refer to Figure 4 and column 7 lines 20 to 43.

4. Regarding claim 4 – Ganz discloses successive time intervals between transmit authorizations sent to a slave station during an inactivity period of said slave station are determined by a predefined function, refer to Figures 3 and 4 and column 7 to 20 and column 9 lines 28 to 65.

5. Regarding claim 5 – Ganz discloses said master station is a base station of a radio communication network and said slave stations are mobile terminals of said radio communication network sharing an uplink communication channel, said base station broadcasting transmit authorizations on a downlink channel to said mobile terminals, said activity time interval between two transmit authorizations being determined at said base station for each mobile terminal depending on the traffic characteristics supported by said mobile terminal, refer to Figures 1 and 2 and column 1 lines 5 to 45 and column 3 lines 60 to 67 and column 4 lines 1 to 37.

Art Unit: 2662

6. Regarding claim 6 – Ganz discloses said uplink communication channel is a time-shared communication channel, said base station broadcasting transmit authorizations on a downlink channel indicating which time slot of said uplink communication channel has to be used by the terminal authorized to transmit, refer to Figure 4 and column 7 lines 20 to 45.

7. Regarding claim 7 – Ganz discloses an inactivity detector (control processor hardware (callout 220 in Figure 2) and software (callout 360 in Figure 3)) to detect an inactivity period, refer to Figures 2 and 3 column 5 lines 25 to 67 and column 6 and column 7 lines 1 to 7.

Ganz discloses a predefined silence packet generator (MAC in Figure 3 callout 320) to transmit a predefined silence packet upon reception of a transmit authorization during one of said inactivity periods, refer to Figures 2 and 3 column 7 lines 45 to 67 and column 8 lines 1 to 20.

8. Regarding claim 8 – Ganz discloses a resource assignment module (polling manager callout 324 in Figure 3) to assign transmit authorizations to said slave stations to authorize each of them to transmit packets on said shared channel, a silence packet detector to detect a predefined silence packet received on said shared channel, refer to Figures 2 and 3 and column 5 lines 25 to 67 and column 6 and column 7 lines 1 to 7.

Ganz discloses a time interval adjuster (Media Control Modules callout 222 in Figure 3) to modify the maximum time interval between two transmit authorizations sent to a slave station upon reception of a silence packet from said slave station refer to Figures 2 and 3 and column 5 lines 25 to 67 and column 6 and column 7 lines 1 to 7.

Art Unit: 2662

9. Regarding claim 9 – Ganz discloses said master station is a base station part of a radio communication network, said base station comprising a resources assignment module to assign resources on a shared channel to a plurality of mobile terminals by sending transmit authorizations to authorize said mobile terminals to transmit packets on said shared channel, refer to Figures 1-3 and column 1 lines 5 to 45 and column 3 lines 60 to 67 and column 4 lines 1 to 37 and column 5 lines 25 to 67 and column 6 and column 7 lines 1 to 7.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Edmon et al. (US 2002/0057709 A1) discloses a method and apparatus enabling multiple access on a broadband communication network.
2. Rezaiifar et al. (US 6,526,030 B2) discloses a channel structure for communication systems.
3. Rezaiifar et al. (2003/0002464 A1) discloses a communication system.
4. Miller et al. (US 5,404,392) discloses a digital cellular overlay network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Pezzlo whose telephone number is (571) 272-3090. The examiner can normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

Art Unit: 2662

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C.

or faxed to:

(703) 872-9306

For informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:


Jefferson Building

500 Dulany Street

Alexandria, VA.

John Pezzlo

4 March 2005

  
**JOHN PEZZLO**  
**PRIMARY EXAMINER**